

AP/ITW
PATENT

UNITED STATES DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
PATENT EXAMINATION BRANCH

In re application of:)	Examiner: Manning, John
Kim)	
)	Group Art Unit: 2614
For: Method and apparatus for broadcasting,)	
viewing, reserving and/or delayed viewing of)	
digital television programs)	
)	Interview Summary
Application No.: 09/810,365)	for Telephonic Examiner Interview
)	of March 2, 2006
Filed: March 16, 2001)	

Interview Summary

MS AF
Commissioner of Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Dear Sir/Madam:

Applicant hereby provides this interview summary for the telephonic interview conducted on March 2, 2006, between the Examiner and Michael Zarrabian (Reg. No. 39,886). Enclosed is a copy of the Applicant Initiated Interview Request Form, outlining the proposed agenda of the interview. Applicant wishes to thank the Examiner (and his supervisor) for courtesies shown during that telephone interview. Independent Claims were discussed. In regards to claim 1, Applicant argued that Lawler (col. 5, lines 3-36 and col. 10, lines 42-56) does not disclose that a Broadcasting Schedule Information is delivered to a receiver along with the Preview Program. The Examiner referred to Fig. 3 in Lawler as disclosing schedule information 80 being delivered

to a receiver along with preview in window 108 (the Examiner also referred to Figs. 5A-B in Lawler as showing such steps). Applicant disagreed, stating that interpretation of Lawler in the phone interview is different from that in the office action, and at any rate, Figs. 5A-B do not disclose the claimed limitations. Specifically, Applicant argued that there is no disclosure in Lawler that the schedule information 80 (or program description 114) and the preview video clip being displayed in the preview window 110 are delivered simultaneously, as claimed. Further, in the interview, withdrawing finality of the rejection was requested by Applicant due to Examiner's reassertion of original rejections under 5,585,838 to Lawler, and because Applicant believes there was re-interpretation of Fig. 3 by the Examiner in the interview (i.e., that schedule 80 and clip in preview window 110 in Fig. 3 are delivered simultaneously). No agreement was reached.

Applicant further discussed the status on Examiner's consideration of an Information Disclosure Statement filed on September 1, 2005. Prior Examiner, Mr. Michael Shannon, told Applicant's representatives he would check the Patent Office library for Haskell textbook and if the textbook was available to him for review, then Applicant would not need to submit copyright information.

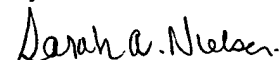
Please charge any deficit or credit any surplus to our Deposit Account No. 01-1960. A duplicate copy of this page is enclosed for this purpose.

Attachment(s): Copy – Applicant Initiated Interview Request Form (2 pg.)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on: April 3, 2006.

By: Sarah A. Nielsen



Signature

April 3, 2006

Respectfully submitted,


Kenneth L. Sherman

(Date)

Registration No. 33,783

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Applicant Initiated Interview Request Form

Application No.: 09/810,365 First Named Applicant: Yeong-Taeg Kim
Examiner: Jack Manning Art Unit: 2614 Status of Application: Pending

Tentative Participants:

(1) Jack Manning (2) Michael Zarrabian
(3) Supervisory Examiner (4) _____

Proposed Date of Interview: Feb. 28, 2006 Proposed Time: 3:00 EST (AM/PM) PM

Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference *postponed*

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO *Mar 2, '06*
If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rejection</u>	<u>Claims</u>	<u>5,585,838</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<u>1-24</u>				
(2) <u>IDS not considered</u>		<u>Haskell et al.</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	<u>ISO/IEC Publication</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Continuation Sheet Attached					

Brief Description of Arguments to be Presented:

--Please see attached Continuation Sheet--

An interview was conducted on the above-identified application on _____.

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Applicant/Applicant's Representative Signature

Examiner/SPE Signature

Michael Zarrabian

Typed/Printed Name of Applicant or Representative

39,886

Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Application No. 09/810,365
Examiner: Jack Manning
Group Art Unit: 2614
Proposed Date of Interview: February 28, 2006

Continuation Sheet to "Applicant Initiated Interview Request Form"

Brief Description of Arguments to be Presented:

- 1) Discuss possibility of withdrawing finality rejection due to Examiner's reassertion of original rejection of 5,585,838 to Lawler.
- 2) Discuss Lawler col. 5, lines 3-36 and col. 10, lines 42-56 (relied on by the Examiner), as Lawler does not disclose that a Broadcasting Schedule Information is delivered to a receiver simultaneously with the Preview Program. Even if Lawler discloses a preview program and a broadcast schedule, according to Lawler the preview program is not delivered along with the broadcast schedule.
- 3) Further, there is no disclosure in Lawler about downloading Broadcasting Schedule Information *while* Preview Program is being decoded and displayed, as claimed.
- 4) Obtain status on Examiner's consideration of Information Disclosure Statement filed on September 1, 2005. Prior Examiner, Mr. Michael Shannon, told Applicant's representatives he would check the Patent Office library for Haskell textbook and if the textbook was available to him for review, then Applicant would not need to submit copyright information.